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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,546	01/29/2001	Robert Barra	P-1 CIP MG	9594
28752	7590	09/13/2005	EXAMINER	
LACKENBACH SIEGEL, LLP LACKENBACH SIEGEL BUILDING 1 CHASE ROAD SCARSDALE, NY 10583			BACKER, FIRMIN	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/771,546	<b>Applicant(s)</b> BARRA ET AL.	
	<b>Examiner</b> FIRMN BACKER	<b>Art Unit</b> 3621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 34-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*[Handwritten signature]*

***Response to Arguments***

1. Applicant's arguments, filed July 29<sup>th</sup>, 2005, with respect to the rejection(s) of claim(s) 34-45 under USC 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of new found art.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 34-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Helferich (U.S. PG Pub No. 2005/0176451 A1).

4. As per claim 34, Helferich teach a method of transmitting information which contains a request for specified services on an e-mail system comprising: connecting a sending computer to a communication network; submitting the information from the sending computer to the communication network; inputting the information onto a website server; transmitting, by the website server, the information to a mail center, receiving the information at the mail center;

Art Unit: 3621

storing the information by the mail center; and sending an alert message to a receiving computer indicating that the information has been received (*see figs 1, 2a-2c, paragraphs 0003, 0013, 0014, 0016, 0035, 0050, 0100, 0104*).

5. As per claim 35, Helferich teach a method further comprising inputting the information into a software program on the website server that interprets the information (*see figs 1*).

6. As per claim 36, Helferich teach a method further comprising storing the record on a data storage system (*see figs 1*).

7. As per claim 37, Helferich teach a method further comprising utilizing a Uniform Resource Locator in the alert message to point the receiving computer to the mail center to access the information.

8. As per claim 38, Helferich teach a method further comprising retrieving the information by utilizing the Uniform Resource Locator (*see figs 1*).

9. As per claim 39, Helferich teach a method wherein the information includes an authentication database (*see figs 1, 2a-2c, paragraphs 0003, 0013, 0014, 0016, 0035, 0050, 0100, 0104*).

Art Unit: 3621

10. As per claim 40, Helferich teach a method comprising confirming by the mail center that receiving computer has received the information (*see figs 1, 2a-2c, paragraphs 0003, 0013, 0014, 0016, 0035, 0050, 0100, 0104*)..

11. As per claim 41, Helferich teach a method for transmitting information that contains a request for specified services from an e-mail service comprising composing information on a sending computer, sending the information, which includes an authentication database, to a software program on the sending computer, comparing the authentication database with a database on the sending computer; sending the information from the sending computer to a mail center; processing the information at the mail center, and sending the information from the mail center to a receiving computer (*see figs 1, 2a-2c, paragraphs 0003, 0013, 0014, 0016, 0035, 0050, 0100, 0104*)..

12. As per claim 42, Helferich teach a method further comprising authenticating the receiving computer (*see figs 1*).

13. As per claim 43, Helferich teach a method further comprising retrieving the message from the software program (*see figs 1*).

14. As per claim 44, Helferich teach a method further comprising utilizing the mail center to authenticate the receiving computer (*see figs 1*).

Art Unit: 3621

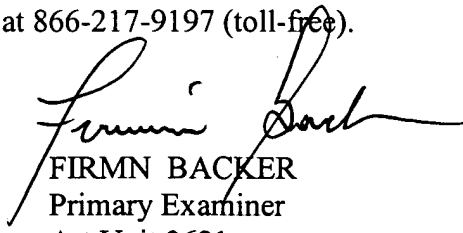
15. As per claim 45, Helferich teach a method further comprising confirming by the mail center that receiving computer has received the information (*see figs 1, 2a-2c, paragraphs 0003, 0013, 0014, 0016, 0035, 0050, 0100, 0104*)..

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*) Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
FIRMN BACKER  
Primary Examiner  
Art Unit 3621

September 5, 2005